

5. Environmental Analysis

5.12 PUBLIC SERVICES

This section addresses the Proposed Project's impacts to public services providing fire protection and emergency services, police protection, school services, and libraries services. Park services was scoped out in the initial study. Public and private utilities and service systems, including water, wastewater, and solid waste services and systems, are addressed in Section 5.15, *Utilities and Service Systems*.

The Initial Study, included as Appendix A, substantiates that impacts associated with park services would be less than significant. This topic is not addressed in the following analysis.

5.12.1 Fire Protection and Emergency Services

The information in this section is based partly on a written questionnaire response by William Blumberg, Management Analyst, Orange County Fire Authority dated May 27, 2020. A copy of this response is included in Appendix K of this DEIR.

5.12.1.1 ENVIRONMENTAL SETTING

Regulatory Background

State

California Fire Code

The California Fire Code (CFC) comprises Part 9 of Title 24 of the California Code of Regulations. The CFC is updated on a three-year cycle, and the 2019 CFC took effect on January 1, 2020. Fire flow requirements are in CFC Appendix B, Table B105.1. Fire hydrant location and distribution requirements are in CFC Appendix C.

California Health and Safety Code

Sections 13000 et seq. of the California Health and Safety Code include fire regulations for building standards (also in the California Building Code; California Code of Regulations Title 24 Part 2); fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

Local

City of San Juan Capistrano Municipal Code

The 2019 CFC is adopted, with certain amendments, as Chapter 8-10, California Fire Code, of the City of San Juan Capistrano Municipal Code. The 2019 California Building Code, based on the 2018 International Building Code, is adopted as Chapter 2, Building Code, of the City of San Juan Capistrano Municipal Code.

Municipal Code Section 9-3.519 requires any development where property is immediately adjacent to mature flammable vegetation to obtain a fuel modification program approval from the Orange County Fire Authority prior to issuance of a building permit.

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City of San Juan Capistrano General Plan

The City of San Juan Capistrano General Plan Safety Element provides goals and policies that support fire protection services.

- **Safety Goal 1.** Reduce the risk to the community from hazards related to geologic conditions, seismic activity, wildfires, structural fires, and flooding.
 - **Policy 1.3.** Reduce the risk of wildfire hazards by requiring fire retardant landscaping and project design for development located in areas of high wildfire risk.
 - **Policy 1.4.** Reduce the risk of fire to the community by coordinating with the Orange County Fire Authority.
 - **Policy 1.5.** All residential projects with more than 48 units should be required to provide a secondary access to the Project Site. The secondary access may be designated as emergency access only.

Existing Conditions

Fire Protection Services

The Orange County Fire Authority (OCFA) provides fire protection and emergency medical services to the City of San Juan Capistrano. OCFA's Operations Department is organized into nine battalions; the Project Site is in the service area of Battalion 6 in Division 3, which include the cities of San Juan Capistrano, Dana Point, and San Clemente and unincorporated Orange County. OCFA Battalion 6 includes seven fire stations (OCFA 2020).

OCFA Station 7 is the nearest fire station to the Project Site at 31865 Del Obispo in San Juan Capistrano. Station 7 is approximately 1.4 miles south of the Project Site. Station 7 is staffed with two fire captains, one fire apparatus engineer, and three firefighters, and is equipped with Engine 7, Engine 307, Medic 7, Patrol 7, and Water Tender 7 (Blumberg 2020). Response data for Station 7 is summarized in Table 5.12-1.

Table 5.12-1 Station 7 Jurisdiction and Response Data for 2019

	Station 7 (San Juan Capistrano)
Population	36,821
Square Miles	14.41
Unit Responses	7,611
Total Incidents	3,803
Fire Incidents	46
Emergency Medical Service (EMS) Incidents	3,062
Other Incidents ¹	695

Source: OCFA 2019.

¹ Other Incidents include: Cancelled, Ruptures, Hazardous Conditions, Service Calls, Good Intent, False Alarms, and Miscellaneous Calls

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In addition to OCFA Station 7, OCFA stations 49 and 56 are the next two closest stations to the Project Site at approximately 1.7 miles west and 2.6 miles east, respectively. OCFA Station 49 is located at 31461 Street of the Golden Lantern in Laguna Nigel. Station 49 is staffed with one fire captain, one fire apparatus engineer, and two firefighters and is equipped Truck 49. OCFA Station 56 is located at 56 Sendero Way in Rancho Mission Viejo. Station 56 is staffed with is staffed with one fire captain, one fire apparatus engineer, and two firefighters and is equipped Engine 56 and Engine 356 (Blumberg 2020).

Response Times Standard of Cover

OCFA's Standard of Cover for fire services in urban areas, such as the City of San Juan Capistrano, are listed below. Response times are from receipt of the service call to a unit on scene:

- First-in engines should arrive on-scene to medical aids and/or fires within 7 minutes and 20 seconds 80 percent of the time.
- First-in truck companies should arrive on-scene to fires within 12 minutes 80 percent of the time.
- First-in paramedic companies should arrive on-scene at all medical aids within 10 minutes 80 percent of the time.

For the Project Site area, the first-in units arrive on-scene to medical aids and/or fires within 8 minutes and 11 seconds 80 percent of the time. The area is meeting OCFA standard 75 percent of the time (Blumberg 2020).

Funding

OCFA's funding comes primarily from property taxes. During the 2018/19 Fiscal Year, OCFA's property taxes comprised 63.9 percent of OCFA's total governmental funds revenue (Blumberg 2020). In San Juan Capistrano, funding of OCFA services comes from the City's General Fund and other funds (San Juan Capistrano n.d.).

Certain development projects in the City typically enter into secured fire protection agreements with OCFA. The secured fire protection agreement specifies a developer's pro-rata, fair-share funding for capital improvements necessary to establish and maintain adequate fire protection facilities, equipment and personnel (Blumberg 2020).

Wildland Hazard

The Project Site is not within a Very High Fire Hazard Severity Zone mapped by the California Department of Forestry and Fire Prevention (CAL FIRE 2011). However, the City's interactive map identifies the Project Site and the Project Site area within a high fire hazard zone (San Juan Capistrano 2020). Wildfire hazard is discussed in Section 5.16, *Wildfire*.

5.12.1.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

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FP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services.

5.12.1.3 PLANS, PROGRAMS, AND POLICIES

PPP PS-1 New buildings are required to meet the fire regulations outlined in California Health and Safety Code Sections 13000 et seq.

PPP PS-2 New construction is required to comply with the California Building Code and California Fire Code as amended by the City of San Juan Capistrano.

PPP PS-3 New construction shall comply with San Juan Capistrano Municipal Code Section 9-3.519, which requires any development where property is immediately adjacent to mature flammable vegetation to obtain a fuel modification program approval from the Orange County Fire Authority prior to issuance of a building permit.

PPP PS-4 Prior to approval of any subdivision or comprehensive plan approval for a project, if deemed necessary, the Project Applicant shall enter into a Secured Fire Protection Agreement with the Orange County Fire Authority (OCFA), if deemed necessary by OCFA through the plan review and inspection process. This Agreement, if necessary, shall specify the Project Applicant's pro-rata fair share funding of capital improvements necessary to establish adequate fire protection facilities and equipment, and/or personnel. Said agreement shall be reached as early as possible in the planning process, preferably for each phase or land use sector of the project, rather than on a parcel by parcel basis. The obligation must be satisfied prior to the issuance of the first building permit.

5.12.1.4 ENVIRONMENTAL IMPACTS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.12-1: The Proposed Project would introduce new structures and residents into the OCFA service boundaries, thereby increasing the requirement for fire protection facilities and personnel. [Threshold FP-1]

Construction

Construction of the Proposed Project is not expected to increase demand for fire protection and emergency medical services. However, the development of the Proposed Project would require the realignment of Rancho Viejo Road, and that and other construction activities have the potential to result in temporary traffic detours and disruptions. During the construction review process, the project would be subject to review by the City and the OCFA for various construction document plan checks for the applicable fire life safety codes and

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regulations. Coordination with the City and OCFA would ensure adequate emergency vehicle access during construction. Fire and emergency vehicles would have access to the Project Site via two access points off of the east side of Rancho Viejo Road. Therefore, construction activities would not interfere with response times or service ratios, and impacts would be less than significant.

Operation

Development of the Proposed Project would result in 188 residential dwelling units and on-site amenities, resulting in approximately 581 residents. The Project Site is currently developed with a vacant industrial building, and the addition of residents would likely increase service calls for fire protection and emergency medical services.

The Proposed Project would be required to comply with the CBC, CFC, and all applicable ordinances for construction, access, water mains, fire sprinklers, fire flows, and fire hydrants. For example, site plans would be submitted to OCFA to ensure compliance with OCFA standard conditions, including fire flow requirement. Access to and around structures would meet OCFA and CFC requirements. The Proposed Project would provide two access points to the Project Site from the east side of Rancho Viejo Road. The primary entrance is toward the middle of Project Site's frontage with Rancho Viejo Road. The second driveway on the south side of the Project Site is an access easement for the adjacent parcel to the south and would also be used as a secondary access point to the Project Site. The Proposed Project would also comply with applicable fuel modification standards from the San Juan Capistrano Municipal Code Section 9-3.519. Compliance with OCFA and City requirements would ensure adequate provision of resources.

The Proposed Project would be expected to contribute to increased usage of the Malaspina Trail, which has its trailhead on Malaspina Road, just east of the Project Site. However, the increase usage of the trail due to the Proposed Project would be minor. As discussed in Chapter 5.11, *Population and Housing*, the Proposed Project is anticipated to generate 581 residents, which represents 1.6 percent of the existing plus project scenario. An increase of 1.6 percent to the trail usage would not substantially increase fire protection demand due to fire hazard. The development under the Proposed Project would contribute to tax revenue, part of which goes to trail maintenance.

There are no existing plans to expand fire services facilities or capacity of the OCFA facilities serving the Project Site. The Proposed Project would have a less than significant impact on OCFA's level of service and response times (Blumberg 2020). As stated under PPP PS-4 above, if deemed necessary, the project applicant would enter into a secured fire projection agreement with OCFA to address any incremental impacts to fire facilities and services. Additionally, project operation would generate property tax revenue, part of which would be available to fund OCFA through the City's General Fund.

Level of Significance Before Mitigation: With implementation of PPP PS-1 through PPP PS-4, the Proposed Project would result in a less than significant impact.

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5.12.1.5 CUMULATIVE IMPACTS

New development of residential and nonresidential projects would increase demand for fire protection and emergency services. Similar to the Proposed Project, other projects would be required to pay applicable taxes and fees that would increase the tax revenue of the City and support fire protection services. In addition, similar to the Proposed Project, each of the cumulative projects would be subject to Title 24 Building Code and Fire Code and local municipal code regulations relating to fire protection (such as Section 9-3.519 for fuel modification standards), and individually subject to OCFA review and compliance with all applicable construction-related and operational fire safety requirements. Cumulative impacts would be less than significant, and project impacts would not be cumulatively considerable.

5.12.1.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Less than significant prior to mitigation.

5.12.1.7 MITIGATION MEASURES

No mitigation measures are required.

5.12.1.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

The Proposed Project would be less than significant prior to mitigation.

5.12.2 Police Protection

5.12.2.1 ENVIRONMENTAL SETTING

Regulatory Background

Local

San Juan Capistrano General Plan

The City of San Juan Capistrano General Plan Safety Element provides goals and policies that support police protection services.

- **Safety Goal 3.** Protect citizens and businesses from criminal activity.
 - **Policy 3.1.** Coordinate with the Orange County Sheriff's Department to reduce the risk of criminal activity.
 - **Policy 3.2.** Apply design techniques and standards aimed at reducing criminal activity to new development and redevelopment.
 - **Policy 3.3.** Promote after school programs, volunteer programs and Neighborhood Watch programs to reduce the risk of criminal activity.

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- **Policy 3.4.** Improve public awareness of both the responsiveness of the Orange County Sheriff's Department and ways to reduce criminal activity within the City.

City of San Juan Capistrano General Plan: Service Standards

The Public Services and Utilities Plan in the Public Services and Utilities Element outlines the following service standards for police protection in the City:

- Arrive at the scene of an emergency within five minutes, 50 percent of the time.
- Arrive at all emergencies within eight minutes.
- Arrive at all non-emergencies within 15 minutes or less, 75 percent of the time.
- Arrive at all non-emergencies within 30 minutes.

Existing Conditions

The Orange County Sheriff's Department (OCSD) provides police protection services to the City of San Juan Capistrano. The city is in OCSD's Southwest Operations Division, which covers 72.6 square miles and contracts with seven cities—San Juan Capistrano, Aliso Viejo, Dana Point, Laguna Hills, Laguna Niguel, Laguna Woods, and San Clemente. The division employs approximately 256 staff members, of which 219 are deputy sheriffs. The deputies are assigned to patrol, motors, investigations, traffic enforcement, the Directed Enforcement Teams (DET), School Resource Officer (SRO) programs, the Major Accident Reconstruction Team (MART), supervision, management, and other essential support functions (OCSD 2020). OCSD San Juan Capistrano Station at 32506 Paseo Adelanto in San Juan Capistrano serves the city. Services provided by the OCSD in the City is primarily funded through the City's General Fund.

5.12.2.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- PP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services.

5.12.2.3 PLANS, PROGRAMS, AND POLICIES

There are no existing plans, programs, and policies applicable to the Proposed Project.

5.12.2.4 ENVIRONMENTAL IMPACTS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

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Impact 5.12-2: The Proposed Project would introduce new structures and residents into the Orange County Sheriff Department service boundaries, thereby increasing the requirement for police protection facilities and personnel. [Threshold PP-1]

Construction

Construction activities on the site would occur over a period of approximately 39 months, from February 2021 to May 2024. During construction activities there is a potential for increased theft, vandalism, and trespassing. However, the project applicant will be required to ensure that site access is restricted and adequate security is maintained to prevent unlawful trespass, vandalism, theft of construction materials and/or equipment, and other property crimes. Therefore, construction activities would be temporary and short-term and would not result in the need for new or physically altered police facilities. Impacts would be less than significant.

Operation

The San Juan Capistrano Station is approximately two miles south from the Project Site. The Proposed Project would develop 188 residential units and add approximately 581 new residents to the Project Site. The addition of residents and visitors to the Project Site may increase calls for police services. However, the Project Site is currently developed with a vacant industrial building. The industrial building has been vacant since 2013 and has been an ongoing source of code enforcement issues related to graffiti, poorly maintained vegetation, illegal dumping, and unauthorized entry. Development under the Proposed Project would remove these issues and operate a residential community that would have gated access to the site.

The Proposed Project would be expected to contribute to increased usage of the Malaspina Trail, which has its trailhead on Malaspina Road, just east of the Project Site. However, the increase usage of the trail due to the Proposed Project would be minor. As discussed in Chapter 5.11, *Population and Housing*, the Proposed Project is anticipated to generate 581 residents, which represents 1.6 percent of the existing plus project scenario. An increase of 1.6 percent to the trail usage would not substantially increase police activity due to trespass, vandalism, and theft. The development under the Proposed Project would contribute to tax revenue, part of which goes to trail maintenance.

Residential development under the Proposed Project would contribute to tax revenue to the City's General Fund, which could be allocated to fund additional police services if necessary. The Proposed Project would not substantially impact OCSD's existing police services in the City and would not result in the need for new or physically altered police facilities. Impacts would be less than significant.

Level of Significance Before Mitigation: Less than Significant.

5.12.2.5 CUMULATIVE IMPACTS

The project in combination with cumulative projects would contribute to an increased demand on OCSD resources and operations. Over time, such increased demands are expected to require additional deputies, civilian personnel, and equipment. However, similar to the Proposed Project, other projects would generate increased tax revenues to the City and Orange County. Some of those revenues would be available to fund additional or expanded facilities if needed. Similar to the Proposed Project, each of the cumulative projects

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would be subject to review from the applicable law enforcement agency and would be required to comply with all applicable safety requirements of the law enforcement agency and the City in order to adequately address police protection service demands. As a result, cumulative impacts to law enforcement services would not be cumulatively considerable and would be less than significant.

5.12.2.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Less than significant prior to mitigation.

5.12.2.7 MITIGATION MEASURES

No mitigation measures are required.

5.12.2.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Less than significant prior to mitigation.

5.12.3 School Services

The information in this section is based partly on a written questionnaire response by Korin Lawing, Facilities Planning Technician, Capistrano Unified School District, dated May 18, 2020. A copy of this response is included in Appendix K of this DEIR.

5.12.3.1 ENVIRONMENTAL SETTING

Regulatory Background

State

California State Assembly Bill 2926: School Facilities Act of 1986

To assist in providing school facilities to serve students generated by new development, Assembly Bill (AB) 2926 was enacted in 1986 and authorizes a levy of impact fees on new residential and commercial/industrial development. The bill was expanded and revised in 1987 through the passage of AB 1600, which added Sections 66000 et seq. to the Government Code. Under this statute, payment of impact fees by developers serves as CEQA mitigation to satisfy the impact of development on school facilities.

California Senate Bill 50

Senate Bill (SB) 50, passed in 1998, provides a comprehensive school facilities financing and reform program and enables a statewide bond issue to be placed on the ballot. Under the provisions of SB 50, school districts are authorized to collect fees to offset the costs associated with increasing school capacity as a result of development and related population increases. The funding goes to acquiring school sites, constructing new school facilities, and modernizing existing school facilities. SB 50 establishes a process for determining the amount of fees developers would be charged to mitigate the impact of development on school districts from increased enrollment. According to Section 65996 of the California Government Code, development fees authorized by SB 50 are deemed “full and complete school facilities mitigation.”

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Under this legislation, there are three levels of developer fees that may be imposed upon new development by the governing school district. Level I fees are assessed based upon the proposed square footage of residential, commercial/industrial, and/or parking structure uses. Level II fees require the developer to provide one-half of the costs of accommodating students in new schools, and the state provides the remaining half. To qualify for Level II fees, the governing board of the school district must adopt a school facilities needs analysis and meet other prerequisites in accordance with Section 65995.6 of the California Government Code. Level III fees apply if the state runs out of bond funds, allowing the governing school district to impose 100 percent of the cost of school facility or mitigation minus any local dedicated school monies on the developer.

Local

San Juan Capistrano General Plan

The City of San Juan Capistrano General Plan Public Services and Utilities Element provides goals and policies that support school services.

- **Public Services and Utilities Goal 3.** Work effectively with the Capistrano Unified School District to provide sufficient level of public education.
 - **Policy 3.1.** Work closely with Capistrano Unified School District in determining and meeting community needs for public education and related activities.

Development Impact Fees

Capistrano Unified School District (CUSD) has adopted a fee program for new residential development of \$4.08 per square foot (Lawing 2020).

Existing Conditions

CUSD encompasses 200 square miles in seven cities and a portion of unincorporated Orange County. The district includes all or part of the cities of San Clemente, Dana Point, San Juan Capistrano, Laguna Niguel, Aliso Viejo, Mission Viejo, and Rancho Santa Margarita and the communities of Las Flores, Coto de Caza, Dove Canyon, Ladera Ranch, Sendero/Rancho Mission Viejo, and Wagon Wheel. The CUSD has a total enrollment of 47,205 students (CUSD 2020). CUSD has 37 elementary schools, 14 middle schools, and 9 high schools.

Table 5.12-2 provides the enrollment and capacity for each school that would serve the Project Site.

Table 5.12-2 Enrollment Data of Schools Serving the Project Site

School (Location)	Existing Enrollment (2018-2019)	Total Enrollment Capacity	Residual Enrollment Capacity
Ambuehl Elementary School (28001 San Juan Creek Road)	358	516	158
Marco Forster Middle School (25601 Camino Del Avion)	1,403	1,547	144
San Juan Hills High School (29211 Vista Montana)	2,671	3,342	671

Sources: Education Data Partnership 2020; Lawing 2020.

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5.12.3.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

SS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for school services.

5.12.3.3 PLANS, PROGRAMS, AND POLICIES

PPP PS-1 Pursuant to AB 2926, new development is required to pay development impact fees to assist in providing school facilities to serve students generated by new development.

PPP PS-2 Pursuant to SB 50, new development is required to offset the costs associated with increasing school capacity, where the funds collected go to acquiring school sites, constructing new school facilities, and modernizing existing school facilities.

5.12.3.4 ENVIRONMENTAL IMPACTS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.12-3: The Proposed Project would generate new students who could impact the school enrollment capacities of Capistrano Unified School District schools. [Threshold SS-1]

The Proposed Project would construct 188 residential units and would result in the increase of approximately 581 residents, some of which are expected to be school-age children. As shown in Table 5.12-3, the Proposed Project would generate approximately 80 school-age children that will attend CUSD schools. These 80 school-age children consist of 43 elementary school, 14 middle school, and 23 high school students.

Table 5.12-3 Proposed Project Student Generation

Land Use	Size	Elementary School	Middle School	High School	Total
Single-Family Detached ¹	107	32	9	15	56
Multifamily Residential ²	81	11	5	8	24
Total	188	43	14	23	80

Source: Lawing 2020.

¹ Single-Family Detached Residential Student Generation Rates: ES = 0.30; MS = 0.08; HS = 0.14.

² Multifamily Residential Student Generation Rates: ES = 0.14; MS = 0.06; HS = 0.10.

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Based on the residual enrollment capacity available at Ambuehl Elementary, Marco Forster Middle, and San Juan Hills High Schools, student population generated by the Proposed Project would be accommodated at CUSD schools. There are no existing plans to expand school facilities that serve the Project Site (Lawing 2020).

The project applicant would be required to pay development impact fees to CUSD at a rate of \$4.08 per square foot of residential development per SB 50 (Lawing 2020). The fees would be collected by CUSD at the time of issuance of building permits. As stated in Government Code Section 65995(h):

The payment or satisfaction of a fee, charge, or other requirement levied or imposed ... are hereby deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization ... on the provision of adequate school facilities.

Payment of these fees would offset impacts from increased demand for school services associated with development of the Proposed Project by providing an adequate financial base to construct and equip new and existing schools as needed. Therefore, CUSD would be able to provide adequate school facilities for the projected student residents of the Proposed Project, and payment of development impact fees would ensure that impacts are offset and remain less than significant.

Level of Significance Before Mitigation: Less than significant with the implementation of PPP PS-1 and PPP PS-2.

5.12.3.5 CUMULATIVE IMPACTS

The cumulative projects include six residential projects that would add a total of 965 single-family detached residential units¹ to the City of San Juan Capistrano and the CUSD. The six residential projects would generate a combined student population of approximately 290 elementary school students, 77 middle school students, and 135 high school students. These students would be distributed across CUSD schools, including the three schools serving the Project Site. While there is a possibility that cumulative projects would exceed the total capacity of the schools serving the Project Site, each cumulative project, similar to the Proposed Project, would be required to pay development impact fees to CUSD. The State Legislature provided authority for school districts to assess impact fees for both residential and nonresidential development projects. CUSD requires payment of \$4.08 per square foot of residential development (Lawing 2020). Those fees, authorized under Education Code Section 17620(a) and Government Code Section 65995(b), are collected by municipalities at the time building permits are issued and conveyed to the school district in accordance with a defined fee structure. The legislature has declared that the payment of these fees constitutes full mitigation for the impacts generated by new development (Government Code Section 65995). Since all future development projects must pay appropriate impact fees, each development project would mitigate its own impacts. No cumulative impact upon CUSD is anticipated as a result of the implementation of the Proposed Project in conjunction with other area-wide development.

¹ One cumulative project (SJC14) is a senior housing project and is not expected to generate school-age children, and it is therefore not included in the total.

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5.12.3.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Less than significant prior to mitigation.

5.12.3.7 MITIGATION MEASURES

No mitigation measures are required.

5.12.3.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Less than significant prior to mitigation.

5.12.4 Library Facilities

The information in this section is based partly on a written questionnaire response by Julie Oakley, Administrative Manager, Orange County Public Library dated May 20, 2020. A copy of this response is included in Appendix K of this DEIR.

5.12.4.1 ENVIRONMENTAL SETTING

Regulatory Background

Local

San Juan Capistrano General Plan

The City's General Plan Public Services and Utilities Element provides a service standard of 0.2 square foot of library space per person and 1.5 books per person.

The City of San Juan Capistrano General Plan Public Services and Utilities Element provides goals and policies that support library services.

- **Public Services and Utilities Goal 5.** Work with the Orange County Public Library to provide a sufficient level of library facilities and services.
 - **Policy 5.1.** Work closely with the Orange County Public Library in determining and meeting community needs for library facilities and services, including hours of operation.

Existing Conditions

San Juan Capistrano is part of the Orange County Public Library community library network, which has 32 branches throughout Orange County. The San Juan Capistrano Library (Library) is at 31495 El Camino Real in San Juan Capistrano. The Library is located in a City-owned building that is leased by the County. The Library is approximately 12,898 square feet. The collection at the library totals approximately 39,773 items, including 1,509 audiobooks, 2,841 DVDs, 33,374 books, and other items such as magazines and pamphlets. The Library has approximately 20 desktop computers (Oakley 2020). In addition to borrowing books and other material,

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the Orange County Public Library system provides internet and wifi access; educational, entertaining, and free programs; and ebooks and other digital material (OCPL 2020).

5.12.4.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- LS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for Library services.

5.12.4.3 PLANS, PROGRAMS, AND POLICIES

There are no existing plans, programs, and policies applicable to the Proposed Project.

5.12.4.4 ENVIRONMENTAL IMPACTS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.12-4: The Proposed Project would introduce new residents to the Project Site, which would increase the service needs for the Orange County Public Library's San Juan Capistrano branch library. [Threshold LS-1]

The only library in the City of San Juan Capistrano is approximately 1.5 miles south of the Project Site. As discussed in Section 5.11, Population and Housing, the City has a population of approximately 35,952 persons in 2018 and is anticipated to increase to 41,900 persons by 2045. According to the General Plan's library service standard, the existing population of 35,952 persons generates a library demand of approximately 7,190 square feet and 53,928 books. Therefore, the existing library building has sufficient capacity to serve the existing population but is below the standard of books per person.

Based on the General Plan's library service standard, the Proposed Project would require 116 square feet of library space² and 872 additional books.³ The existing-plus-project condition (36,533 persons based on Section 5.11, Population and Housing) and the future 2045 condition would generate a library demand of approximately 7,307 square feet and 8,380 square feet, respectively, and 54,799 books and 62,850 books, respectively. Therefore, the existing library has sufficient square footage to meet current and future library needs with the Proposed Project but is below the books standard similar to existing conditions. However, due to the increase of electronic and digitized materials in an effort to update outdated material, the reduction of hard copies is not considered a loss of library volumes. Additionally, residents would have access to all 32 OCPL branch libraries and borrow materials through interlibrary loans. Based on the library standard outlined in the General

² 0.2 square feet x 581 residents = 116 square feet

³ 1.5 books x 581 residents = 872 books

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Plan, the Proposed Project would not have a substantial impact on library facilities. There are currently no plans to expand library facilities or its resources (Oakley 2020).

Orange County Library staff has indicated that the library standard outlined in the General Plan (0.2 square feet of library space and 1.5 books per capita) is no longer used by the American Library Association or the County of Orange, and standards no longer exist as libraries are designed to meet the needs of specific communities (Oakley 2020). Since the Proposed Project would be within the General Plan's library standard, its demand on library services would be incremental and would not require the need for new or expanded physical library facilities, the construction of which could cause a substantial adverse impact. Therefore, the Proposed Project would result in a less than significant impact.

Level of Significance Before Mitigation: Less Than Significant.

5.12.4.5 CUMULATIVE IMPACTS

Population growth within the City would increase demands for library services. Similar to the Proposed Project, future residents of development projects within the City of San Juan Capistrano may visit the San Juan Capistrano Library. Future residents would have access to all 32 OCPL branch libraries, online resources, and interlibrary loans. Library capacity would not be significantly impacted. Impacts of the Proposed Project would not be cumulatively considerable.

5.12.4.6 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Less than significant prior to mitigation.

5.12.4.7 MITIGATION MEASURES

No mitigation measures are required.

5.12.4.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Less than significant prior to mitigation.

5.12.5 References

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